

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-CR-18

DAVID L. SHANKS JR.,

Defendant.

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**ORDER**

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This matter comes before the Court on the motion of the United States of America, pursuant to Title 18, United States Code, Section 983(a)(3)(B)(ii)(II), for an order allowing the government to maintain custody of the approximately \$5,750.00 in United States currency seized from defendant David Shanks at or near 6XX Bellevue Street, Green Bay, Wisconsin, on or about October 4, 2017, pending resolution of the criminal case.

WHEREAS, the seized asset is already in the custody of the government by virtue of process issued in a matter other than this criminal case;

WHEREAS, the government has represented to the Court that it will maintain and preserve the seized asset throughout this criminal case so that the asset will be available for possible forfeiture;

WHEREAS, when the government commences a criminal forfeiture action containing an allegation that one or more specific items of property are subject to forfeiture, and the government has already seized that property by administrative or civil forfeiture process, the

government must, under Title 18, United States Code, Section 983(a)(3)(B)(ii)(II), “take the steps necessary to preserve its right to maintain custody of the property as provided in the applicable criminal forfeiture statute;” and

WHEREAS, Title 21, United States Code, Section 853(e)(1) authorizes the Court to take any action necessary to preserve the availability of the property,

IT IS HEREBY ORDERED that, pursuant to Title 21, United States Code, Section 853(e)(1), the United States and its agencies, including the Drug Enforcement Administration, are authorized to maintain and preserve the seized asset until this criminal case is concluded or pending further order of this Court.

This Court further CONCLUDES that this order satisfies the requirements of Title 18, United States Code, Section 983(a)(3)(B)(ii)(II).

Dated at Green Bay, Wisconsin, this 16<sup>th</sup> day of March, 2018.

s/ William C. Griesbach

WILLIAM C. GRIESBACH, Chief Judge  
United States District Court